

1 A. I believe so.

2 Q. If we go to -- if we continue forward to Page
3 5, at the top there's a heading that says, "The DOJ
4 Investigations." Do you see the heading there?

5 A. I do.

6 Q. And, generally speaking, does it appear this
7 section is talking about the DPA, which we've talked
8 about earlier today?

9 A. Yes, the -- I believe we spoke about two, but
10 this would be the first of the two that we discussed.

11 Q. And are you quoted correctly in the fourth
12 paragraph in the first sentence, in discussing the --
13 the settlement with the Department of Justice?
14 "Choosing his words carefully, Binder notes that Biomet
15 was not completely without sin or else we would not have
16 settled." Is that an accurate quote for what you
17 stated?

18 A. Yes, I believe it is.

19 Q. And, Mr. Binder, earlier you stated that it
20 would be unethical to pay for a surgeon -- or to pay a
21 surgeon to use Biomet's products; is that correct?

22 A. The way that I would put it is we want surgeons
23 choosing products that they think are appropriate for
24 their patients. And I do think it's unethical to
25 provide a surgeon with financial inducement to use the